

REMARKS

Claim Objections

Claim 11 stands objected to because of an obvious typographical error. Applicant has amended claim 11 to replace "pocket" with "socket" and respectfully asks the Examiner to withdraw his objection.

Rejections under 35 U.S.C §103

Rejection of claims 1, 2, 5, 7, 11, 12, 19, 20

Claims 1, 2, 5, 7, 11, 12, 19, 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,572,402 to Jeong in view of U.S. Pat. No. 6,556,431 to Ozias. Applicant respectfully disagrees.

Jeong provides for a hard disk drive mounting assembly that "utilizes the space of the computer body efficiently and permits mounting or removing a hard disk from the computer without any special implement", but does not teach or suggest that the computer has a "sealed housing" as recited in claims 1, 11 and 19, which must be read in light of the specification as comprising a housing "sealed in the sense that it is not intended that a user needs to open the housing during the life of the product" (page 2, lines 33-34 of the present application). Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Jeong discloses the above feature in accordance with 37 C.F.R. 1.104(c)2.

Furthermore, Jeong fails to teach or suggest a housing comprising "at least a DC-DC converter" as recited in claims 1, 11 and 19. The Examiner appears to rely on facts within his personal knowledge to state that the housing of Jeong comprises at least a DC-DC converter. Applicant respectfully requests that the Examiner provide an Affidavit pursuant to 37 C.F.R. § 1.104(d)(2) in support of the above assertion, else withdraw this rejection.

Ozias discloses a desktop computer appliance, but also does not teach nor suggest a "sealed housing" as recited in claims 1, 11 and 19, nor a housing comprising "at least a DC-DC converter" as recited in claims 1, 11 and 19.

In view of the above, no combination of Jeong and Ozias would have enabled a skilled person to provide a "sealed housing" comprising "at least a DC-DC converter" as recited in claims 1, 11 and 19. Applicant submits that claims 1, 11 and 19 are patentable over Jeong in view of Ozias.

Claims 2, 5, 7 depend directly or indirectly on claim 1, claim 12 depends directly on claim 11 and claim 20 depends directly on claim 19. At least in view of the above, claims 2, 5, 7, 12 and 20 are patentable over Jeong in view of Ozias.

Rejection of claims 3, 4, 21, 22

Claims 3, 4, 21, 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong in view of Ozias, and further in view of U.S. Pat. 4,898,009 to Lakoski. Applicant respectfully disagrees.

Lakoski discloses "an attachable and lockable, vented security cover enclosure for the back of a personal computer", but also fails to teach or suggest a computer with a "sealed housing" as recited in claims 1, 11 and 19, nor a computer housing comprising "at least a DC-DC converter" as recited in claims 1, 11 and 19.

In view of the above, no combination of Jeong, Ozias and Lakoski would have enabled a skilled person to provide a computer having a "sealed housing" comprising "at least a DC-DC converter" as recited in claims 1, 11 and 19. Applicant submits that claims 1, 11 and 19 are patentable over Jeong in view of Ozias and further in view of Lakoski. Claims 3 and 4 depend directly or indirectly on claim 1, claims 21 and 22 depend directly or indirectly on claim 19. At least in view of the above, claims 3, 4, 21 and 22 are patentable over Jeong in view of Ozias and further in view of Lakoski.

Rejection of claims 8, 10, 24, 25, 26 and 30

Claims 8, 10, 24, 25, 26 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong in view of Ozias, and further in view of U.S. Pat. 4,937,806 to Babson. Applicant respectfully disagrees.

Babson discloses "a portable mass storage device (e.g., a hard disk drive) is shock-isolated at all times; (a) within the chassis of a computer and (b) during its removal and transport to a location remote from the computer chassis", but does not teach nor suggest a computer with a "sealed housing" as recited in claims 1, 11, 19 and 25, nor a computer housing comprising "at least a DC-DC converter" as recited in claims 1, 11, 19 and 25.

In view if the above, no combination of Jeong, Ozias and Babson would have led to a computer having a "sealed housing" comprising "at least a DC-DC converter" as recited in claims 1, 11, 19 and 25. Applicant submits that claims 1, 11, 19 and 25 are patentable over Jeong in view of Ozias and further in view of Babson. Claims 8 and 10 depend indirectly on claim 1, claim 24 depends directly on claim 19, and claims 26, 30 depend directly on claim 25. At least in view of the above, claims 8, 10, 24, 26 and 30 are patentable over Jeong in view of Ozias and further in view of Babson.

Rejection of claims 27, 28

Claims 27 and 28, stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong in view of Ozias, in view of Lakoski and further in view of Babson. Applicant respectfully disagrees.

It has been seen above that neither Jeong, Ozias, Lakoski nor Babson disclose a computer with a "sealed housing" as recited in claim 25, nor a computer housing comprising "at least a DC-DC converter" as recited in claim 25. No combination of Jeong, Ozias, Lakoski and Babson would therefore have led to a computer having a "sealed housing" comprising "at least a DC-DC converter" as recited in claim 25. Applicant submits that claim 25 is patentable over Jeong in view of Ozias, in view of Lakoski and further in view of Babson. Claims 27 and 28 depend directly or indirectly on claim 25. At least in view of the above, claims 27, 28 are patentable over Jeong in view of Ozias in view of Lakoski and further in view of Babson.

Statutory Double Patenting

Claims 9 and 29 stand rejected under 35 U.S.C. 101 as claiming the same invention as claims 1 and 7 of prior U.S. Patent No. 6,731,500 ('500) issued to Applicant.

Rejection of claim 9

The dependency of claim 9 has been modified so that claim 9 depends directly on claim 1. In its dependency of claim 1, claim 9 recites: "A desktop personal computer appliance for use with external user input and display devices, the appliance comprising:

- a displayless and keyboardless system unit having a sealed housing comprising main processing functionality for executing application programs and at least a DC-DC converter, the housing being provided with external connectors for connection to said external user input and display devices;

- a removable data storage device for storing user data associated with said application programs and a user-specific software image containing said application programs,

- the housing having a recessed portion for receiving the removable data storage device and a movable closure member for enclosing the recessed portion,

- an external power supply having a flying lead connectable to an external socket provided in the housing for supplying DC power to the DC-DC converter,

- wherein the housing comprises a sliding closure for closing the recess."

Claim 1 of '500 recites (emphasis added) "A desktop personal computer appliance for use with external user input and display devices, the appliance comprising:

- a displayless and keyboardless system unit having a sealed housing comprising

main processing functionality for executing application programs and at least a DC--DC converter, the housing being provided with external connectors for connection to said external user input and display devices;

a removable data storage device for storing user data associated with said application programs and a user-specific software image containing said application programs,

the housing having a recessed portion for receiving the removable data storage device and a movable closure member for enclosing the recessed portion,

an external power supply having a flying lead connectable to an external socket provided in the housing for supplying DC power to the DC--DC converter, and

a mounting arrangement for the removable data storage device, the mounting arrangement comprising retaining pockets on oppositely facing inner walls of the recessed portion for receiving mounting studs extending laterally from the removable data storage unit, the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess, and a handle mounted on the unit so as to be rotatable about an axis parallel to the first axis,

wherein the housing comprises a sliding closure for closing the recess."

Applicant submits that claim 9 does not recite the "mounting arrangement for the removable data storage device, the mounting arrangement comprising retaining pockets on oppositely facing inner walls of the recessed portion for receiving mounting studs extending laterally from the removable data storage unit, the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess, and a handle mounted on the unit so as to be rotatable about an axis parallel to the first axis" recited in claim 1 of '500, and Applicant therefore respectfully requests the Examiner to withdraw the rejection of claim 9.

Rejection of claim 29

The dependency of claim 29 has been modified so that claim 29 depends on claim 26. In its dependency of claim 26, itself dependent on claim 25, claim 29 recites

(emphasis added) "A desktop personal computer appliance for use with external user input and display devices, the appliance comprising:

- a displayless and keyboardless system unit having a sealed housing comprising main processing functionality for executing application programs and at least a DC-DC converter, the housing being provided with external connectors for connection to said external user input and display devices;

- a removable data storage device for storing user data associated with said application programs and a user-specific software image containing said application programs,

- the housing having a recessed portion for receiving the removable data storage device and a movable closure member for enclosing the recessed portion,

- an external power supply having a flying lead connectable to an external socket provided in the housing for supplying DC power to the DC-DC converter, and

- a mounting arrangement for the removable data storage device, the mounting arrangement comprising retaining pockets on oppositely facing inner walls of the recessed portion for receiving mounting studs extending laterally from the removable data storage unit, the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess, and a handle mounted on the unit so as to be rotatable about an axis parallel to the first axis,

- wherein the handle is substantially U shaped with side arms pivotally mounted on respective opposing sides of the unit,

- wherein the software image includes an operating system, and

- wherein the housing comprises a sliding closure for closing the recess.

Claim 7 of '500 recites "A desktop personal computer appliance for use with external user input and display devices, the appliance comprising:

- a displayless and keyboardless system unit having a sealed housing comprising main processing functionality for executing application programs and at least a DC-DC converter, the housing being provided with external connectors for connection to said external user input and display devices;

- a removable data storage device for storing user data associated with said

application programs and a user-specific software image containing said application programs,

the housing having a recessed portion for receiving the removable data storage device and a movable closure member for enclosing the recessed portion,

an external power supply having a flying lead connectable to an external socket provided in the housing for supplying DC power to the DC--DC converter, and

a mounting arrangement for the removable data storage device, the mounting arrangement comprising retaining pockets on oppositely facing inner walls of the recessed portion for receiving mounting studs extending laterally from the removable data storage unit, the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess, and a handle mounted on the unit so as to be rotatable about an axis parallel to the first axis,

wherein the housing comprises a sliding closure for closing the recess, and

wherein the handle is substantially U shaped with side arms pivotally mounted on respective opposing sides of the unit. "

Applicant submits that claim 29 recites the feature "wherein the software image includes an operating system" that is not recited in claim 7 of '500, and Applicant therefore respectfully requests the Examiner to withdraw the rejection of claim 29.

Nonstatutory Double Patenting

Claims 6, 13 and 14-19 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9 and 12-16, 6 of '500.

Please find enclosed a terminal disclaimer in compliance with 37 CFR 1.321(c).

* * *

Regarding the prior art made of record by the Examiner but not relied upon, Applicants believe that this art does not render the pending claims unpatentable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

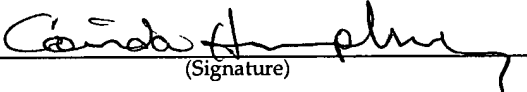
I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 4, 2005

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Corinda Humphrey

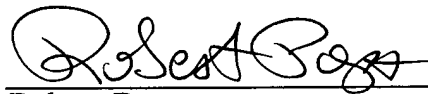
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January 4, 2005

(Date)

Respectfully submitted,



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Attachments: Terminal Disclaimer

Statement under 37 CFR 3.73(b)